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## MEMORANDUM

February 25, 2005

TO: Board of Selectmen

FROM: Life After NESWC Committee

SUBJ: Report on Recommended Options

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The Committee would like to briefly report to the Selectmen on its voted recommendations regarding potential options for trash disposal and capping the landfill based on the review of the proposals and staff recommendation. John Murray will give a brief overview presentation at the BoS meeting Monday evening on these options, and this memo is intended to report on the votes taken by the committee at our meeting last night.

Appended to this memorandum is the report of the technical review committee that reviewed all of the proposals received in response to the three RFPs the town issued regarding potential leasing of the transfer station and capping of the landfill, the business center concept and curbside collection. Also appended are flow charts outlining the various options as well as additional information on the costs if the town were to cap the landfill.

The Committee took three votes last night in making recommendations to the Board of Selectmen relating to the two primary decisions the committee believes must be addressed. These two decisions are:

1. A decision must be made regarding how trash will be collected and disposed of once our current contract with Waste Management ends; options include continued operation of the transfer station, or closing the transfer station and contracting for curbside pickup.
2. A decision must be made regarding "final" capping of the landfill and potential uses for the site; options include the town capping the landfill and retaining ownership/control of the landfill site, or accept the proposal regarding the Acton Business Center.

The Committee voted last night to recommend to the Selectmen that they hold a special Town Meeting sometime in late May for the purpose of considering these sets of options – both the trash disposal options and the landfill capping options. The Committee has not as yet taken a position on either decision. The proposals for curbside pickup and the Acton Business Center are valid for a limited period of time, yet the

Committee did not believe there was sufficient time to bring these forward at April Town Meeting – thus the recommendation for holding a special Town Meeting in late May. Additional questions were raised about each of the proposals that require some further research and discussion with the proponents which also makes April Town Meeting unrealistic. Nevertheless, the Committee believed there was no advantage to waiting until the fall and the serious disadvantage that one or more of the proposals might no longer be valid at that point in time. The Committee also believed there would be time in April and May to hold one or more public information sessions to discuss these options, plus the required time for the Planning Board to hold hearings for any zoning changes needed for the business center option. Further the Committee will make a brief presentation at April Town Meeting updating the citizens on our progress, options, and process.

Second, the Committee also directed staff to make certain further inquiries regarding both the landfill capping options, and will consider in more detail the various options for both decisions prior to making its recommendations.

Third, the Committee has recommended that beginning July 1<sup>st</sup> the transfer station be open only two days a week and that those two days should be Wednesday and Saturday. The intent is that this program would be in effect for at least until the current contract ends, and could then be continued depending on decisions made at the special town meeting. The brokerage program would therefore be curtailed, and this decision would be implemented regardless of whether the override passes. By doing so, staff believes the operation can be run on a breakeven basis with at most a modest \$10 increase in the sticker fee. Finally the Committee strongly supported a Wednesday-Saturday schedule as opposed to staff's recommended Friday-Saturday because it was felt that this provided greater flexibility to citizens and avoided potential problems of people being out of town on long weekends and thus unable to dispose of their trash.

February 15, 2005

Don P. Johnson, Town Manager  
Town of Acton  
472 Main Street  
Acton, MA 01720

Re: Report of Technical Review Committee on Proposals Received for:  
Acton Business Center  
Transfer Station Lease with Mandatory Leasehold Improvements  
Curbside Collection of Solid Waste and Recyclables

Dear Don:

The Technical Review Committee has completed its review of the proposals received under the above Requests for Proposals. The Committee members are:

John Murray, Assistant Town Manager  
Bruce Stamski, Town Engineer/Director of Public Works  
Steve Anderson, Town Council  
Bruce Haskell, Consultant from Camp Dresser & McKee Inc.

Please note that Bruce Haskell was not present and did not participate in the analysis of the proposal submitted by Mass Environmental Associates, Inc. due to potential conflicts of interests.

**Acton Business Center Proposal**

**By: Dickinson Development Corp. and Home Depot U.S.A. Inc.**

The proposal presented a well thought out development plan for the site. The Developer has a proven track record with projects of this magnitude and scope. This team has recently permitted and constructed a very similar project in the Town of Reading, Ma. In checking references we found the Town Manager of Reading to have had a positive experience working with this developer. The DEP, Northeast Regional Solid Waste Coordinator was very pleased with the developer and his design team. They were always kept in the loop during the design and construction.

The proposed development will consist of an 118,000sf Home Depot with a 25,000sf Garden Center along with a 65,000sf supermarket. The Town can continue to operate the Transfer Station/Recycling Center if it so chooses. All traffic will enter/exit the site from Route 2. A new "flyover" will be constructed to facilitate traffic flow. The development team acknowledges that environmental safeguards and buffers are important and will be built into the final design. There is a long way to go to develop final plans for the site; however this first step is consistent with the objectives of the RFP.

The Committee found the proposal to be **advantageous** and recommends further consideration by the Town.

## **Transfer Station Lease with Mandatory Leasehold Improvements**

**Proposal by: Solid Waste Solutions, LLC**  
**Northfield, MA**

The Committee has rated this proposal as **unacceptable** for the following reasons.

The Proposer takes exception to the form of contract specified in the Request for Proposals. They propose a contract for services rather than a lease of real estate as outline in the RFP. This is unacceptable to the Town. Liability for the proposers work would shift toward the town. In addition to this non-starter, the Committee had the following reservations.

The Committee rated the Experience and Qualifications of the Proposer to be unacceptable. The proposer presented no evidence of having experience as a lead contractor in the design, and management of a project of similar complexity. The proposer did not provide a list of state regulatory officials to contact concerning facilities under their operation. The municipal references provided spoke highly of their day to day operations ability but had no knowledge of their ability to design and implement a complex closure plan. In addition, their technical consultant, Green Seal Environmental, has never been the lead consultant on a closure project of this magnitude.

The plans submitted detail a closure of the landfill using over three times the amount of shaping materials anticipated in the RFP. The plans extend over the boundaries specified for the project and seriously compromise the buffers in the Forest Road area.

For the above reasons the Committee found the proposal **unacceptable** and can not recommend going forward with this proposal.

**Proposal by: Mass Environmental Associates Inc.**  
**Newton, MA**

The committee has rated this proposal as **unacceptable** for the following reasons.

This proposer also takes exception to the form of contract in the RFP. The proposer proposes a license agreement instead of the lease agreement as required in the RFP. This would again shift liability for the proposers work toward the Town. In addition to this non-starter the Committee had the following concerns.

The proposer did not furnish a list of state regulatory officials whom the Town can contact as required by the RFP. The proposer did not provide a discussion of the enforcement history of the solid waste manage facilities under their management. From news articles in the Boston Globe, Mass Environmental has had an enforcement order issued on its project in Wilmington. In contacting the Northeast Regional Office of the DEP, the Solid Waste Engineer informed us that this issue is being dealt with by higher ups and had no comment. Failure of the proposer to discuss this situation in his proposal is a serious oversight at best.

For these reasons the Committee found the proposal to be **unacceptable** and can not recommend going forward with this proposal.

### **Curbside Collection of Solid Wastes and Recyclables**

#### **Proposal by: Waste Management of Massachusetts, Inc. Hampton, MA.**

The proposal by Waste Management meets the standards set forth in the RFP. They are qualified to perform the services. A check of their references in nearby communities determined they are fulfilling their contracts with minimal problems.

The proposer takes exception to the liquidated damages section in the proposed contract and requests further negotiations. The Committee has some concerns about the equipment and staffing levels proposed. This concern can be addressed in the negotiations of the contract.

The Committee found the proposal by Waste Management to be **acceptable** and deserving of continued consideration by the town.

#### **Proposal by: Schofield Inc. Brookline, Ma.**

The Committee determined the proposal to be **unacceptable** for the following reasons:

The RFP required three references from contracts similar in size and scope to Acton. The client provided only one reference for a recyclable collection contract.

The proposer did not provide information showing he is capable of obtaining a performance bond. A list of equipment as required by the RFP was not provided.

Due to the above the Committee determined the proposer has not demonstrated that he has the necessary experience, equipment and financial ability to successfully fulfill the contract.

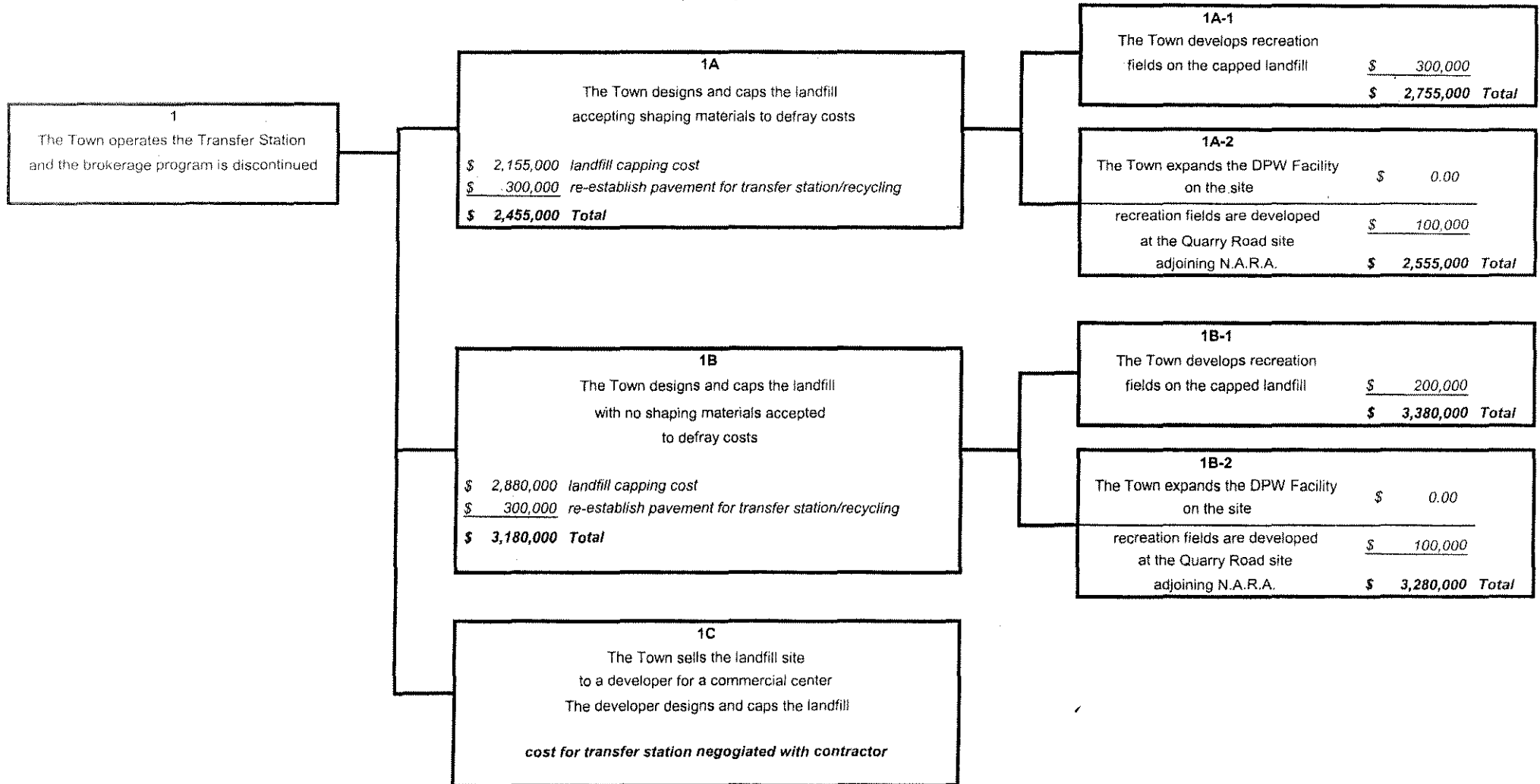
The Committee also found the proposers option approach to pricing confusing. There were two priced options and one non-priced option presented. The only option that meets the requirements of the RFP (option 2) is over 39% more than their competitors bid. Had the Committee found the proposer to be qualified, their bid price would have eliminated them from consideration.

The Committee **does not recommend** further consideration of this proposal.

Submitted for the Committee by:

Bruce M. Stamski, P.E., Town Engineer/Director of Public works

**Landfill Flow Chart  
for operating the Transfer Station**



**Town of Acton  
Landfill Flow Chart  
for Town-Wide Curbside Collection**

**2**

The Town adopts town-wide curbside pickup  
Transfer Station is closed

**2A**

The Town designs and caps the landfill  
accepting shaping materials  
to defray costs

**\$ 1,755,000 landfill capping cost**

**2A-1**

The Town develops recreation  
fields on the site

\$ 300,000

Transfer Station building is used  
for DPW uses

\$ 30,000

**\$ 2,085,000 Total**

**2A-2**

The Town develops recreation  
fields on the site

\$ 300,000

Transfer Station building is used  
for recreation uses

\$ 100,000

**\$ 2,155,000 Total**

**2A-3**

The Town expands the DPW Facility  
on the site

\$ 0.00

Transfer Station building is used  
for DPW uses

\$ 30,000

Additional recreation fields are  
developed at the Quarry Road  
site adjoining N.A.R.A.

\$ 100,000

**1,885,000.00 Total**

**2B-1**

The Town develops recreation  
fields on the site

\$ 300,000

Transfer Station building is used  
for DPW uses

\$ 30,000

**\$ 3,210,000 Total**

**2B-2**

The Town develops recreation  
fields on the site

\$ 300,000

Transfer Station building is used  
for recreation uses

\$ 100,000

**\$ 3,280,000 Total**

**2B-3**

The Town expands the DPW Facility  
on the site

\$ 0.00

Transfer Station building is used  
for DPW uses

\$ 30,000

Additional recreation fields are  
developed at the Quarry Road  
site adjoining N.A.R.A.

\$ 100,000

**3,010,000.00 Total**

**2C**

The Town sells the landfill site  
to a developer for a commercial center  
The developer designs and caps the landfill

**2C-1**

The Town uses the  
Transfer Station building  
for DPW uses

**cost negotiated  
with contractor**

**2C-2**

The Town uses the  
Transfer Station building  
for recreation uses

**cost negotiated  
with contractor**

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## Memorandum

*To: Bruce Stamski, P.E.  
John Murray*

*From: Bruce Haskell and Chris Koehler*

*Date: February 22, 2005*

*Subject: Closure Alternatives at Inactive Acton Landfill – Town Implemented Alternatives*

As part of the evaluation of post-NESWC alternatives for Acton's solid waste alternatives, Camp Dresser & McKee Inc. (CDM) has prepared two alternatives to supplement the privatized options being currently evaluated by the Town.

The first option is the baseline for closure of the landfill which is the Town's implementation of the closure in accordance with Massachusetts Department of Environmental Protection (DEP) regulations and requirements. Under this alternative, the Town would cap the landfill at roughly the existing contours to minimize the costs of closure. The second alternative would be for the Town to import historic fill soils allowable under MADEP policies to flatten the grades on the site to contours similar to that proposed in the previously issued Request for Proposals (RFP) for the landfill closure and transfer station. However, instead of the RFP, the Town would make arrangements with either a private vendor or a public agency such as the Central Artery, assuming adequate materials are available.

Under the first alternative, CDM estimates that the costs as follows:

Cap 18 acres @ \$120,000 per acre	\$2,160,000
Environmental Assessment	\$ 150,000
Closure Design and Permitting	<u>\$ 100,000</u>
Subtotal	\$2,410,000
Contingency (20%)	<u>\$ 480,000</u>
Total Estimated Costs	\$2,880,000



CDM previously developed two (2) conceptual grading plans for the acceptance of shaping and grading material at the former Acton landfill. One plan incorporates a "full build-out" and assumes the existing transfer station will not be used in the future. The second plan, assumes the transfer station will be used in the future. Both plans leave enough plateau space to provide for one regulation playing field or space for other recreational uses.

The full build-out plan allows for approximately 200,000 cubic yards (300,000 tons) of shaping and grading material; the transfer station plan allows for an additional estimated 140,000 cubic yards (210,000 tons). MADEP policies allow for a variety of materials to be used to shape and grade old municipal landfills including slightly contaminated historic fill soils, street sweepings, catch basin cleanings, and processed construction and demolition waste materials. The MADEP requires several submittals related to the acceptance of these materials that deal with issues such as truck traffic, stormwater and erosion control and the potential for odors from the processed construction and demolition waste materials.

The costs for closure of the landfill by the Town would remain approximately the same as the first option or \$2,880,000. The Town could either contract directly with a public agency or a private entity to place the materials. CDM is currently working with the City of Haverhill who elected to utilize a private contractor for the marketing of the materials as well as their placement including all necessary controls for stormwater, street sweeping, erosion control, etc.. The City provided all the permits and a clerk of the works to oversee the site. With similar quantities as could be accommodated at the Acton site and similar distance from the Boston area, the City will net approximately \$4 per ton for materials received.

CDM is also working with the Town of Saugus who contracted directly with the Central Artery project for approximately 700,000 tons of historic fill soils and will net approximately \$5 per ton after hiring a contractor and paying for the required steps to accept the materials. It should be noted that the Central Artery project may not have adequate materials remaining to contract directly with the Town. Given the proximity of Saugus to the Central Artery project compared to Acton, this price is similar to that for the Haverhill project. If this option is elected, the Town should immediately discuss with the Central Artery staff to determine if it is viable. Also, the acceptance of processed construction and demolition waste would likely net the town additional revenues but would be more difficult to permit because of the problems with odors at other sites. The actual revenues from these materials are highly market driven and dependent on the availability of alternative locations for their disposal.

The intent of accepting these materials is to provide a flat plateau that would be used for a recreational area. DEP requires that the landfill cap be graded to a five percent slope to accommodate potential settlement of the landfilled waste and playing fields need to be at most a two percent slope. Typical projects with a single recreational field on top of older landfills cost approximately \$300,000 above the capping cost for the additional grading materials, irrigation systems, parking and pathways.

Finally, DEP policies require several additional permitting steps for the permitting of grading and shaping materials. CDM has included an allowance of \$75,000 to perform the engineering tasks required to accept the materials.

Therefore, the costs and potential revenues to cap the landfill, net revenues to accept and place the historic fill soils (range presented) and construction of a single recreational field including parking areas would be as follows:

Closure construction including engineering and contingency	\$2,880,000
Additional engineering to accept materials	\$ 75,000
Revenues from Historic Fill Acceptance	
Between 200,000 and 300,000 tons at \$4 per ton	(\$800,000 to \$1,200,000)
Cost for Construction of Recreational Field	<u>\$300,000</u>
Net Total Estimated Costs	\$2,055,000 to \$2,455,000

We are available to assist the Town with presenting this information to the Study Committee. Please do not hesitate to contact me at (617) 452-6541 if you have any questions or require anything further.

February 24, 2005

Cost Alternatives  
Landfill Capping

Realignment of CDM numbers using shaping materials

\$2,880,000  
75,000  
-800,000  
\$2,155,000 capping cost with Transfer station open

\$2,880,000  
75,000  
-1,200,000  
\$1,755,000 capping cost with Transfer Station closed

Re-establishing Pavement for the Transfer Station/Recycling Area.

Cost Estimated @ \$300,000

After the cap is completed the paved areas for the recycling area and transfer station have to be redone. This is not included in the estimated capping cost.

1B-1 Cost of field on top of landfill.

Cost estimated @ \$200,000

Without grading materials the area available is not suited for a regulation soccer field. A 2 acre field would be graded with a parking lot for 40 cars.

2A-1 and 2B-1 Transfer Station building used for DPW uses

Cost Estimated @ \$30,000

This cost is for the paving needed around the building. It does not include rehab of building.

2A-2 and 2B-2 Transfer Station building used for Recreation.

Cost Estimated at \$100,000

This cost is for building a parking lot and entrance from Route 2. It does not include rehab of the building.

2A-3 and 2B-3 Cost of building expanded parking and field at NARA

Cost estimated @ \$100,000

This would include expanding the upper parking lot by 40 cars and adding one new soccer field adjacent to the existing fields on land now used for topsoil storage.